

EA



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/759,055	01/20/2004	Chao-Ming Huang	HUAN3241/EM	6699

23364 7590 06/29/2005
BACON & THOMAS, PLLC
625 SLATERS LANE
FOURTH FLOOR
ALEXANDRIA, VA 22314

EXAMINER

BARRETT, SUZANNE LALE DINO

ART UNIT	PAPER NUMBER
----------	--------------

3676

DATE MAILED: 06/29/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/759,055

Applicant(s)

HUANG, CHAO-MING

Examiner

Suzanne Dino Barrett

Art Unit

3676

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 20 January 2004.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-8 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-8 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 20 January 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Drawings

1. The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the "twist shape" of the actuating plate as recited in claim 8 must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Specification

2. The disclosure is objected to because of the following informalities: there are numerous grammatical errors throughout the specification such as: on page 2, lines 8 and 10, delete "from"; page 3, line 7, "flange" should be --flanges--, and in line 16, after "21", insert --such--; page 4, line 7, after "thus", insert --is--; page 5, line 10 and page 10, line 15, "traverse" should be --transverse--; page 10, line 18, "333" should be --342--.

Appropriate correction is required.

3. The abstract of the disclosure is objected to because in lines 4 and 6, delete "with", and in line 8, change "traverse" to --transverse--. Correction is required. See MPEP § 608.01(b).

Claim Objections

4. Claims 1 and 4 are objected to because of the following informalities: in claim 1, line 7-8, there is no antecedent basis for "the axial hole" -- it appears that perhaps it should be --the axial tube--, and in the penultimate line, before "that", insert --such--, and in the last line, delete "almost"; in claim 4, line 4, "appropriated" should be --appropriate--. Appropriate correction is required.

Claim Rejections - 35 USC § 102

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

Art Unit: 3676

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

6. Claims 1,2,5-7 are rejected under 35 U.S.C. 102(b) as being anticipated by Shen 5,398,531. Shen teaches a lock assembly comprising a lever handle 40 having an assembling hole 42 and an engaging member 43 received in a longitudinal slot 15 of an axial tube 10 and a slot 25 of an adapter 20, the axial tube 10 further having a longitudinal slot 13 for receiving a limit flange 32 of a lock core 30, and the adapter 20 also having a limit groove 23 for receipt of the limit flange 32 (col. 3, lines 30-33). The adapter further provided with a positioning member 24 to be received in the longitudinal slot 13 and transverse recess 14 of the tube 10. Wherein upon assembly, after positioning the adapter positioning member 24 into the transverse recess 14 of the tube 10 to limit axial movement thereof, the lever engaging member 43 engages the adapter slot 25 and tube slot 15 to obstruct the positioning member 24 from moving rotationally into the longitudinal slot 15, thereby also limiting rotation of the adapter 20 (col. 3, lines 13-23, especially lines 21-23).

Claim Rejections - 35 USC § 103

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Art Unit: 3676

8. Claim 3 is rejected under 35 U.S.C. 103(a) as being unpatentable over Shen '531 in view of Chen et al 6,109,080. Chen et al teach the use of a doorknob or lever handle interchangeably. It would have been obvious to modify the lever handle having engagement member of Shen with the functionally equivalent knob handle with engaging member 321/335 of Chen et al as an obvious matter of design choice.

9. Claim 4 is rejected under 35 U.S.C. 103(a) as being unpatentable over Shen '531 in view of Wu 2004/0031300. Wu teaches the use of an elastic member 34 between the lock core 14/32 and actuating member 31. It would have been obvious to provide the lock assembly of Shen with an elastic member as taught by Wu to enhance the assembly by providing play between the assembled parts to account for misalignment or the like.

10. Claim 8, as best understood, is rejected under 35 U.S.C. 103(a) as being unpatentable over Shen '531 in view of Duckwall 6,012,311. Shen fails to provide an actuating plate having a twist shape. Duckwall teaches a lock core comprising an actuating plate having a twist shape 303. It would have been obvious to one of ordinary skill in the art to modify the shape of the actuating plate of Shen by providing a twist shape as taught by Duckwall as an obvious matter of design choice.

Conclusion

11. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Note the cited core retainers and adapters.

Art Unit: 3676

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Suzanne Dino Barrett whose telephone number is 571-272-7053. The examiner can normally be reached on M-Th 8:30-7:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Brian Glessner can be reached on 571-272-6843. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Suzanne Dino Barrett
Primary Examiner
Art Unit 3676

sdb